

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CHARLES TALBERT,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 3:21-1669</b>
<b>v.</b>	:	<b>(JUDGE MANNION)</b>
<b>DEPT OF CORR., et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

In accordance with this Court's memorandum issued this same day, **IT**  
**IS HEREBY ORDERED THAT:**

1. Plaintiff's motion to dismiss all claims against Defendants Harry, Ritchy and Benning (Doc. 42) is **GRANTED**. The Clerk of Court is directed to **TERMINATE** these Defendants from the above captioned action. Plaintiff's motion for sanctions directed at these Defendants (Doc. 30) is **DISMISSED** as moot.
2. Defendants' motions to dismiss the Plaintiff's complaint (Docs. 53, 56) are **GRANTED**.
3. Plaintiff's motion to file a second amended complaint (Doc. 63) is **DENIED**.
4. Plaintiff's motions for preliminary injunctive relief (Docs. 24, 84) are **DENIED**.
5. Plaintiff's motion for default judgment (Doc. 51) is **DISMISSED** as moot as Defendants filed timely responsive pleadings.

6. Plaintiff's motion to consolidate the above captioned action with his other pending actions (Doc. [59](#)) and motion to refer case to settlement officer program (Doc. [47](#)) are **DISMISSED** as moot.
7. Plaintiff's motion to strike Defendants' motions to dismiss (Doc. [72](#)) is **DENIED** as meritless.<sup>1</sup>
8. Plaintiff's "motion to compel disclosure statements" (Doc. [75](#)) and motion to supplement his ADA and Eighth Amendment claims (Doc. [81](#)) are **DISMISSED** as moot.
9. The Clerk of Court is directed to **CLOSE** this case.
10. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**DATE: April 22, 2022**

21-1669-01-ORDER

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<sup>1</sup> Plaintiff seeks to strike Defendants' motion to dismiss because "defendants filed motions to dismiss on 'technicalities' and not the allegations themselves". (Doc. [73](#)). The Court finds Defendants' motion properly filed in accordance with [Fed.R.Civ.P. 12](#).